

## **REMARKS**

### **I. Introduction**

Claims 7 and 9 to 13 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that the present application is in condition for immediate allowance, and reconsideration is respectfully requested.

### **II. Rejection of Claims 7 and 9 under 35 U.S.C. § 102(b)**

Claims 7 and 9 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,136,460 ("Chen et al."). It is respectfully submitted that Chen et al. do not anticipate these claims for at least the following reasons.

Claim 7 relates to an electrical contact including: a metallic substrate; and a contact layer in the form of a gradient layer applied on the metallic substrate, the gradient layer being composed of at least two elements, the at least two elements including a first element and a second element, wherein one of: (a) the first element is silver and forms an alloy with the second element, the second element including one of indium and tin, (b) the first element is tin and the second element is phosphorus, and (c) the first element is indium and the second element is tin.

Although Applicants may not agree with the merits of the rejection, to facilitate matters, claim 7 has been amended to recite, in relevant part, that **a proportion of the first element and the second element in the gradient layer changes substantially linearly in a direction normal to a plane of the substrate.** This amendment is a simple explanation for the term "gradient layer" in claim 7, and support for this amendment may be found, for example, on page 3, lines 16 to 19 and page 4, lines 26 to 30 of the Specification.

Chen et al. do not disclose, or even suggest, that a proportion of a first element and a second element in a gradient layer changes essentially linearly in a direction normal to a plane of a substrate. As is apparent from Figure 1 and column 7, lines 1 to 19, Chen et al. describe a substrate (12) made of copper or a copper-based alloy, the substrate (12) having a tin coating (16) and an anti-tarnish coating (18) applied to the tin coating (16). The anti-tarnish coating (18) may be made of zinc, indium, phosphorus or alloys or mixtures thereof. The tin coating (16) is heated to a temperature sufficient to reflow the surface of the tin coating (16) and diffuse some of the materials of the anti-tarnish coating (18) near an interface (20) of the two coatings, into the tin coating (16). As a result, a concentration gradient of anti-

tarnish agents is produced in the anti-tarnish coating (18), the concentration of the anti-tarnish agents decreasing from a first surface (19) of the anti-tarnish coating (18) to the interface (20) of the anti-tarnish coating (18) and the tin coating (16).

**However, Chen et al. nowhere mention that a proportion of tin and/or antitarnish material(s) in coatings (16, 18) changes substantially linearly in a direction normal to a plane of substrate (12).** Accordingly, it is respectfully submitted that Chen et al. do not anticipate claim 7 for at least these reasons.

As for claim 9, which depends from claim 7 and therefore includes all of the features of claim 7, it is respectfully submitted that Chen et al. do not anticipate this dependent claim for at least the reasons set forth above.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

### **III. Rejection of Claims 10 to 13 under 35 U.S.C. § 103(a)**

Claims 10 to 13 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Chen et al. and U.S. Patent No. 5,800,932 ("Suzuki et al."). It is respectfully submitted that the combination of Chen et al. and Suzuki et al. does not render these claims unpatentable for at least the following reasons.

Claims 10 to 13 ultimately depend from claim 7 and therefore include all of the features of claim 7. As set forth in greater detail above, Chen et al. do not disclose, or even suggest, at least the feature of claim 7 that a proportion of a first element and a second element in a gradient layer changes substantially linearly in a direction normal to a plane of a substrate. Suzuki et al. describe an electric contact material made up of a contact substrate (1) and a coating layer (2). The coating layer (2) includes a subsurface portion (2B) made up of an Ag-Li-La alloy, and a surface layer portion (2A) including Au and/or Pd in the base Ag-Li-La alloy. In addition, as indicated in column 2, lines 36 to 45 of Suzuki et al., the surface layer portion (2A) is formed as a concentration gradient layer, the concentration of Au and/or Pd being 50 to 95% by weight at a surface (2a) of the surface layer portion (2A) and decreasing in the direction of the subsurface portion (2B). **However, Suzuki et al. nowhere mention that a concentration of Au and/or Pd changes substantially linearly in a direction normal to the contact substrate (1).** Thus, Suzuki et al. do not cure the deficiencies of Chen with respect to the above-mentioned feature of claim 7. Accordingly, it is respectfully submitted that the

combination of Chen et al. and Suzuki et al. does not render unpatentable claims 10 to 13, which ultimately depend from claim 7.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

#### **IV. Conclusion**

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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